

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK LEE CARDELLO-SMITH #267009,
Petitioner,

Vs

Case No 2:25-cv-10754
Honorable Mark Goldsmith

MR. MACAULEY, Warden,
SEAN COMBS, Financier of Petitioners Incarceration,
KYM L. WORTHY, Chief Wayne County Prosecutor,
SUZETTE SAMUELS, Assistant Wayne County Prosecutor,
PATRICIA PENMAN, Detective Wayne County, et al,
Respondents et al,

FILED
APR 25 2025
CLERK'S OFFICE
DETROIT

OFFER OF PROOF
SUPPLEMENTAL INCIDENT REPORT BY DETROIT POLICE DEPARTMENT
DETAILING PETITIONERS KIDNAPPING AND ATTEMPTED MURDER BY THE
DETROIT POLICE DEPARTMENT'S SERGEANT DAVID COBB AND
CONSPIRACY TO FALSELY CHARGE PETITIONER WITH RAPE CHARGES
AND COVER-UP BY THE RESPONDENTS TO WRONGFULLY CONVICT PETITIONER

Petitioner, Derrick Lee Cardello-Smith, in the above cause hereby provides this court with the Enclosed OFFER OF PROOF that confirms the Petitioners Claims and statements that the following occurred on January 13, 2008 and that the respondents have this petitioner in custody contrary to State and Federal Law.

1. The Supplemental Incident Report Confirms that the Petitioner was the Victim of Kidnapping and Attempted Murder by the respondents.
2. That Sergeant David Cobb, Detroit Police Officer was going to kill the Petitioner on January 8, 2008 while working with Andrea Bommarito and Tina (Lisa) Bommarito to effect the murder of the Petitioner.
3. That Andrea Bommarito was a willing participant in this cover-up, crime and filing of false rape charges against Petitioner.
3. That Witness and Police Officer Nicole Rabior (Sanistaj) was a willing participant in this matter and that she even made the enclosed report and that she kept it quiet for decades.
4. That Sgt. Elmer Melton knew about this crime and this report and kept it quite for many years to wrongfully incarcerate the Petitioner.
5. That the description of the crime actually reads as follows:
Witness Narrative: "SERGEANT DAVID COBB, DETROIT POLICE DEPARTMENT WAS PRESENT DURING THE ASSAULT. TINA BOMMARITO IDENTIFIED SERGEANT COBB AS HAVING A GUN TO ARRESTEE DERRICK SMITH'S HEAD AND FORCED ARRESTEE SMITH TO

ACKNOWLEDGE AND CLAIM HE WOULD RAPE THEM BOTH AND SERGEANT COBB FORCED ARRESTEE SMITH TO ACT AS THOUGH A RAPE TOOK PLACE. ARRESTEE SMITH WRESTLED SERGEANT COBB'S SERVICE REVOLVER FROM COBB AND DISCHARGED IT INTO COBB'S PROTECTIVE VEST. ARRESTEE SMITH WAS ABLE TO SAVE SECONDARY WITNESS KATHY PRESTON FROM COBB..

6. These events clearly prove that the PETITIONER WAS AND IS THE VICTIM of the Attempted Murder and that it was done with the FULL KNOWLEDGE OF THE RESPONDENTS and that they played a key and critical role in this matter and hid it on orders of the Other respondents.

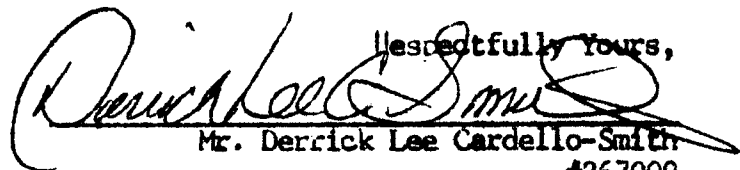
8. Petitioner States that the Supplemental Incident Report Confirms and Proves that these respondents have in fact actually committed a Horrible Crime against the Petitioner and then decided to cover-it up by placing the Petitioner in Prison on false Charges as proven by the Report.

Petitioner presents this as an Offer of Proof and Stands by the Report and The Witness Narrative and asks this Court to Consider it all on the record.

Thank you.

April 19, 2025

Respectfully Yours,



Mr. Derrick Lee Cardello-Smith

#267009

Petitioner

Ionia Bellamy Creek Correctional Facility
1727 W. Bluewater Highway
Ionia, MI 48846

**SUPPLEMENTAL INCIDENT REPORT**

REPORTING AGENCY: DETROIT POLICE DEPARTMENT

CASE REPORT NUMBER : 0801130106.1

PRECINCT: SEX CRIMES UNIT

PHONE: 313-596-5540

REPORTED ON: January '13. 2008 12:00 am
 OCCURRED AT: F/O 13870 EDMORE DETROIT

OCCURRED ON: January 13, 2008 3:00 am

OCCURRED BETWEEN: January 13, 2008 6:20 am

SCA/CENSUS: 0951, SECTOR A 5000

OFFENSE: CSC 1ST DEGREE -PENETRATION PENIS/VAGINA

CODE: 11001 DISPOSITION: ARREST

<u>1. ARRESTEE: DERRICK SMITH</u>	AGE: 35 SEX: MALE RACE: BLACK	ADDRESS: [REDACTED] [REDACTED] Phone Hm: [REDACTED]	
<u>2. VICTIM: LISA BOMMARITO</u>	AGE: 31 SEX: FEMALE RACE: WHITE	ADDRESS: [REDACTED] Phone Hm: [REDACTED]	Relationship to (1): relationship unknown
<u>3- VICTIM: ANDREA BOMMARITO</u>	AGE: 21 SEX: FEMALE RACE: WHITE	ADDRESS: [REDACTED] Phone Hm: [REDACTED]	Relationship to (1): relationship unknown
<u>4. WITNESS: DAVID COBB</u>	AGE: unknown SEX: MALE RACE: BLACK	ADDRESS: [REDACTED] Phone Hm: [REDACTED]	Relationship to (1): relationship in the US Army together Cobb was Smith's Commander

WITNESS NARRATIVE: SARGEANT DAVID COBB, DETROIT POLICE DEPARTMENT WAS PRESENT DURING THE ASSAULT. TINA BOMMARITO IDENTIFIED SERGEANT COBB AS HAVING A GUN TO ARRESTEE DERRICK SMITH'S HEAD AND FORCED ARRESTEE SMITH TO ACKNOWLEDGE AND CLAIM HE WOULD RAPE THEM BOTH AND SARGEANT COBB FORCED ARRESTEE SMITH TO ACT AS THOUGH A RAPE TOOK PLACE. ARRESTEE SMITH WRESTLED SARGEANT COBB'S SERVICE REVOLVER FROM COBB AND DISCHARGED A ROUND INTO COBB'S PROTECTIVE VEST. ARRESTEE SMITH WAS ABLE TO SAVE SECONDARY WITNESS KATHY PRESTON FROM COBB..

WEAPON USED: PERSONAL WEAPONS (HANDS, FEET, TEETH, ETC.)

TOTAL PROPERTY VALUE: NONE

REPORTING OFFICER: P.O. NICOLE RABIOR COMMAND: 5TH/EASTERN DISTRICT POS

VERIFIED BY: SGT. ELMER FELTON COMMAND: 5TH/EASTERN DISTRICT

NAME: Mr. Derrick Lee Cardello-Smith
Number: 4267009
Address: Tomlin Hallway Crenak Correctional Facility
Address: 4727 W. Silverstar Highway
Tomlin, MI 48846

Mailed on 4-19-25

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Theodore Levin US Courthouse
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Detroit, MI 48226

